

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Sr.No.206

CRM-M No.43465 of 2021

Date of Decision: 21.12.2021

Harchand Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present: Mr. Maninder Singh Bajwa, Advocate,
for the petitioner.

Mr. Amitoj Singh Dhaliwal, D.A.G., Punjab
for the respondent.

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MEENAKSHI I. MEHTA, J.

Apprehending his arrest in the criminal case arising out of the FIR bearing No.0242 dated 26.09.2021 registered at Police Station Lopoke, District Amritsar Rural, under Section 379 IPC and Section 21 of the Mines and Minerals (Development and Regulation) Act, 1957, the petitioner has moved this petition for seeking the relief of anticipatory bail.

Bereft of unnecessary details, the allegations, as levelled in the subject FIR, are that the petitioner was seen coming on a tractor-trolley and on being signalled by the police party, he stopped his vehicle and escaped from there and four hundred (400) feet 'Sand' was found loaded in the trolley, without any permit or requisite document.

Status-report filed on behalf of the respondent-State, by way of the affidavit of Deputy Superintendent of Police (Attari), Amritsar, is already available on the file and the same is taken on the record.

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I have heard learned counsel for the petitioner as well as learned State counsel in this petition and have also perused the file thoroughly.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in this case and even otherwise, he had not been apprehended at the spot and therefore, he deserves the relief of anticipatory bail.

Per contra, learned State counsel argues that besides the present case, the petitioner is involved in one more case of the similar nature and keeping in view the nature of the offence committed by him, this petition be dismissed.

The tractor, to which the trolley loaded with 'Sand' was attached, was allegedly being driven by the petitioner, who is alleged to have escaped from the spot on noticing the police party. No document/permit regarding the 'Sand', as loaded in the trolley, was available/found.

Keeping in view the ever-growing menace of illegal mining of the minerals in the region which causes harm to the environmental and ecological system of the entire area, this Court is of the considered opinion that the petitioner does not deserve the relief of anticipatory bail. Resultantly, the petition in hand stands dismissed.

(MEENAKSHI I. MEHTA)
JUDGE

21.12.2021

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Whether speaking/reasoned

Yes

Whether Reportable

No